

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	0

MR. SPEAKER:

*Your Committee on Rules and Legislative Procedures, to which was referred House Bill 2146, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 administration and to make an appropriation.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 4-36 IS ADDED TO THE INDIANA CODE AS A
- 6 **NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,**
- 7 **2001]:**
- 8 **ARTICLE 36. State Museums Commission**
- 9 **Chapter 1. Definitions**
- 10 **Sec. 1. The definitions of this chapter apply throughout this**
- 11 **article.**
- 12 **Sec. 2. "Chief executive officer" means the chief executive**
- 13 **officer of the state museum.**
- 14 **Sec. 3. "Commission" means the Indiana state museums**

1 commission established under IC 4-36-2.

2 Sec. 4. "Council" refers to the historic sites advisory council
3 established under IC 4-36-6.

4 Sec. 5. "Foundation" refers to the state museum foundation or
5 its successors.

6 Sec. 6. "Fund" refers to the museums fund established under
7 IC 4-36-4.

8 Sec. 7. "Museums" refers to the state museum and the historic
9 sites.

10 Sec. 8. "Person" means an individual, a partnership, a
11 corporation, a limited liability company, an unincorporated
12 association, or a governmental entity.

13 Sec. 9. "State museum" refers to the Indiana state museum
14 located in the White River state park.

15 Chapter 2. State Museums Commission

16 Sec. 1. (a) The state museums commission is established.

17 (b) The commission is a public body corporate and politic. The
18 commission is separate from the state, but the exercise by the
19 commission of its powers constitutes an essential governmental
20 function.

21 (c) The commission may sue and be sued and plead and be
22 impleaded.

23 Sec. 2. (a) The commission consists of the following members:

24 (1) The governor, or the governor's designee, who shall serve
25 as chair.

26 (2) Six (6) persons appointed by the governor, not more than
27 two (2) of whom may be from the same county.

28 (3) Three (3) persons appointed by the foundation, each of
29 whom must be residents of different counties.

30 (b) The members of the commission other than the governor
31 shall be appointed for terms of three (3) years.

32 (c) The members appointed by the governor may be reappointed
33 or replaced by the governor.

34 (d) The members appointed by the foundation may be
35 reappointed or replaced by the foundation.

36 (e) Six (6) members of the commission constitute a quorum. The
37 affirmative votes of at least six (6) members are required to take
38 any action other than to adjourn a meeting of the commission.

(f) The commission may select a vice chairperson who may serve a term of one (1) year.

Sec. 3. (a) The commission is not required to pay any taxes or assessments upon any property acquired or used by the commission under this article, or upon the income from that property.

(b) The following are exempt from taxation in Indiana under IC 6-8-5:

(1) Bonds issued under this article.

(2) Interest on bonds issued under this article.

(3) The proceeds received by a holder from the sale of the bonds issued under this article to the extent of the holder's cost of acquisition, or proceeds received upon redemption before maturity or proceeds received at maturity, and the receipt of the interest and proceeds.

Sec. 4. The title to all of the following shall be held in the name of the state of Indiana:

(1) Property constituting the museums.

(2) Property used in connection with the museums.

(3) Property acquired by the commission.

Sec. 5. Members appointed by the governor or the foundation are not liable in an individual capacity, except to the state, for any act done or omitted in connection with the performance of duties under this article.

Sec. 6. (a) The commission is exempt from the following:

(1) The requirements of IC 4-13-2-20 requiring payment in arrears.

(2) The procurement requirements under IC 5-22, except that the disposition of surplus personal property shall be handled under IC 5-22-22.

(b) Surplus real property of the commission shall be disposed of under IC 4-20.5-7.

Chapter 3. Powers and Duties of the Commission

Sec. 1. The commission shall do the following:

(1) Collect, preserve, and interpret artifacts and materials reflecting the cultural and natural history of Indiana.

(2) Prepare and maintain a statewide inventory of these artifacts and materials.

- (3) Collect and interpret artifacts from outside Indiana.**
- (4) Operate and administer the state museum and historic sites.**
- (5) Maintain accreditation of the state museum.**
- (6) Uphold the highest professional and ethical standards as adopted by the American Association of Museums.**
- (7) Adopt a code of ethics, subject to the approval of the governor, for its employees, or submit to the jurisdiction and rules of the state ethics commission.**
- (8) Cause an independent financial audit of the commission to be performed annually.**

Sec. 2. The commission may do the following:

- (1) Qualify the museums for federal and other aid to preserve historic property, materials, items, sites, and memorials.**
- (2) Provide information on historic property, materials, items, sites, and memorials within Indiana to federal, state, and local governmental agencies, private individuals, and organizations.**
- (3) Advise and assist local museums, historical associations, historic district commissions, historic commissions, and other interested groups or persons in Indiana.**
- (4) Develop a program of interpretation, outreach, and publication regarding any of the state's historical, architectural, and archeological resources.**
- (5) Assist in the professional development of the museums' staffs.**
- (6) Develop a plan to meet the physical, program, financial, and staffing needs of the museums for both the immediate and long range future, monitor the plan at regular intervals, and ensure that the museums follow the plan.**
- (7) Donate, or make short term loans of, artifacts in the museums' collections to other public or nonprofit museums or historical societies located in Indiana.**
- (8) Adopt an official seal.**
- (9) Adopt bylaws.**
- (10) Adopt rules under IC 4-22-2 to carry out the purposes of this article.**
- (11) Acquire by grant, purchase, gift, devise, lease, or**

1 otherwise hold, use, sell, lease, manage, operate, clear,
2 improve, encumber, transfer, convey, exchange, or dispose of:

3 (A) real and personal property and any interest in real or

4 personal property;

5 (B) facilities;

6 (C) money or stocks; and

7 (D) any right or interest necessary or useful for carrying

8 out the commission's powers and duties under this article.

9 (12) Procure insurance against any loss in connection with its
10 operations.

11 (13) Employ persons or consultants as may be required in the
12 judgment of the commission and pay their compensation from
13 funds available to the commission.

14 (14) Enter into contracts, agreements, or other documents
15 with any person necessary to accomplish the purposes of this
16 article.

17 (15) Borrow funds as set forth in IC 4-13.5-4.

18 (16) Issue revenue bonds of the commission, payable solely
19 from revenues, as set forth in IC 4-13.5-4, or from the
20 proceeds of bonds issued under this article and earnings
21 thereon, to carry out the purposes of this article.

22 (17) Fix and collect rents, admission charges, entrance fees,
23 tolls, and other user charges for the museums, restaurants, or
24 other facilities.

25 (18) Establish policies for the governance and management of
26 the staffs of the museums.

27 (19) Hold meetings under IC 5-14-1.5 at the times and places
28 in Indiana that are prescribed by its bylaws.

29 (20) Hire, fix the compensation of, review the performance of,
30 and dismiss the following:

31 (A) A chief executive officer, who shall be the director of
32 museums.

33 (B) A chief administrative officer, who shall generally
34 supervise the work of the commission and the work of the
35 museums.

36 (21) Establish standards and criteria for the acquisition of
37 historic properties and for the preservation, restoration,
38 administration and operation of the sites and structures

1 acquired by the commission and accept or refuse to accept an
2 offered gift of historic property that would be administered by
3 the commission.

4 (22) Review and approve annually a budget prepared by the
5 chief executive officer for the operation and maintenance of
6 the museums and the operation of the commission.

7 (23) Submit a budget to the budget agency and request and
8 receive appropriations from the general assembly.

9 (24) Pay royalties or license fees or charges for exhibits,
10 artifacts, art work, or materials.

11 (25) Do any and all acts and things necessary, proper, or
12 convenient to carry out this article.

13 (26) Own copyrights, trademarks, and service marks and
14 enforce its rights with respect to ownership.

15 (27) Make or sell the following:

16 (A) Pictures, models, books, and other representations of
17 the museums, their artifacts, and exhibits.

18 (B) Souvenirs, crafts, art, videotapes, digital video discs,
19 and other merchandise.

20 (28) Maintain museum shops and restaurants on property
21 that the commission manages and at other locations.

22 (29) Employ persons for the museum shops and restaurants.

23 (30) Contract with a corporation, firm, or nonprofit
24 organization for the management of the museum shops,
25 facility rental, and restaurants.

26 (31) Establish programs relating to the museums, exhibits,
27 artifacts or other appropriate topics and collect fees for the
28 following:

29 (A) Guest speaker or instructor programs.

30 (B) Educational or informational opportunities such as
31 trips and tours.

32 Chapter 4. Museums Fund

33 Sec. 1. (a) The museums fund is established. The fund shall be
34 administered by the commission.

35 (b) The commission may invest the money in the fund not
36 currently needed to meet the obligations of the fund in a manner
37 consistent with policies adopted by the commission.

38 (c) The expenses of administering the fund shall be paid from

1 the fund.

2 (d) The commission may spend the money in the fund for the
3 following purposes:

4 (1) Maintenance or repair of properties managed by the
5 commission.

6 (2) Maintenance, repair, and acquisition of the following:

7 (A) Exhibits, programming, and related expenses.

8 (B) Appropriate artifacts.

9 (C) Appropriate memorabilia and merchandise.

10 Sec. 2. The following applies to the fund:

11 (1) Proceeds from admission and user fees, sales at museum
12 shops, facility rentals, restaurant sales and any other monies
13 generated by the museums shall be deposited in the fund.

14 (2) Gifts of money or the proceeds from the sale of gifts
15 donated to the state museum shall be deposited in the fund.

16 (3) All money accruing to the fund is appropriated
17 continuously for the purposes of this article.

18 (4) Money in the fund at the end of a state fiscal year does not
19 revert to the state general fund.

20 Sec. 3. The chief executive officer shall report annually to the
21 commission on the activities, revenues, expenditures, and profits of
22 the museum shops, facility rental, and restaurants.

23 Chapter 5. Personnel Administration and Retirement

24 Sec. 1. (a) The commission may:

25 (1) develop a separate personnel system for employees of the
26 commission; and

27 (2) establish the rights and duties of its employees, including
28 a pay scale and benefit package.

29 (b) If the commission does not adopt a personnel system under
30 this section, its employees are subject to the state personnel system
31 under IC 4-15-1.8.

32 Sec. 2. The commission may:

33 (1) develop a retirement program for employees of the
34 commission; or

35 (2) require employees of the commission to be members of the
36 public employees retirement fund under IC 5-10.3-7.

37 Sec. 3. (a) The chief executive officer and controller or fiscal
38 agent of the museums shall, before entering upon the discharge of

1 their duties, provide surety bonds each in the sum of one hundred
 2 thousand dollars (\$100,000), conditioned for the faithful
 3 performance of such duties as may be imposed upon them by law.

4 (b) Persons required to give a bond under this article are
 5 entitled to furnish as surety any surety company authorized to
 6 transact business in Indiana that meets the approval of the
 7 commission.

8 (c) The premium on any bond required under this chapter shall
 9 be paid by the commission.

10 Sec. 4. All employees of the commission employed within a
 11 classification covered by a labor agreement to which the state is a
 12 party shall continue to remain subject to the terms and conditions
 13 of the agreement and any successor labor agreements entered into
 14 by the state.

15 Chapter 6. Historic Sites Advisory Council

16 Sec. 1. The historic sites advisory council is established to make
 17 recommendations to the commission regarding the maintenance,
 18 operation, and enhancement of the historic sites and their
 19 programs.

20 Sec. 2. The council consists of the following members:

21 (1) The president of each historic site's friends group or
 22 foundation.

23 (2) The chief executive officer, who shall act as chair.

24 (3) Two (2) members of the commission, designated by the
 25 chair of the commission.

26 Sec. 3. (a) Each member of the council is entitled to
 27 reimbursement for traveling and other expenses as provided in the
 28 state travel policies and procedures established by the state
 29 department of administration and approved by the budget agency.

30 (b) Each member of the council who is not a state employee is
 31 entitled to the minimum salary per diem as provided in IC 4-10-11-2.1(b).

32 Sec. 4. The council shall do the following:

33 (1) Recommend to the commission policies, procedures, and
 34 practices regarding the maintenance and operation of the
 35 historic sites.

36 (2) Review and assist in the development of statewide
 37 outreach programs for the historic sites and make
 38 recommendations with respect to these programs to the commission.

(3) Review and evaluate the programs and operations of the historic sites and make recommendations with respect to those matters to the commission.

(4) Review the budget needs and requests of the historic sites and make recommendations to the commission with respect to those needs and requests.

(5) Promote the welfare of the historic sites.

Sec. 5. (a) The council shall meet at least quarterly as follows:

(1) One (1) quarterly meeting shall be held in the northern region of Indiana.

(2) One (1) quarterly meeting shall be held in the central region of Indiana.

(3) Two (2) quarterly meetings shall be held in the southern region of Indiana.

(b) A report of each meeting and recommendations to the commission shall be prepared following each meeting and provided to the commission.

SECTION 2. IC 10-7-2-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 34. (a) The commission shall employ an individual who is responsible for the care and preservation of all personal property owned by the commission that has historic significance.

(b) The individual employed by the commission under subsection (a) must meet the qualifications set by the ~~division of state museums and historic sites of the department of natural resources~~ **commission**.

SECTION 3. IC 14-8-2-77 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 77. "Division" has the following meaning:

(1) For purposes of IC 14-9-8, the meaning set forth in IC 14-9-8-2.

~~(2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-2.~~

~~(3) (2)~~ For purposes of IC 14-21-1, the meaning set forth in IC 14-21-1-6.

~~(4) (3)~~ For purposes of IC 14-22, the division of fish and wildlife.

~~(5) (4)~~ For purposes of IC 14-24, the division of entomology and plant pathology.

~~(6) (5)~~ For purposes of IC 14-31-2, the meaning set forth in

1 IC 14-31-2-4.

2 ~~(7)~~ **(6)** For purposes of IC 14-37, the division of oil and gas.

3 SECTION 4. IC 14-8-2-107, AS AMENDED BY P.L.160-1999,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2001]: Sec. 107. "Fund" has the following meaning:

6 (1) For purposes of IC 14-9-5, the meaning set forth in
7 IC 14-9-5-1.

8 (2) For purposes of IC 14-9-8-21, the meaning set forth in
9 IC 14-9-8-21.

10 (3) For purposes of IC 14-9-9, the meaning set forth in
11 IC 14-9-9-3.

12 (4) For purposes of IC 14-12-1, the meaning set forth in
13 IC 14-12-1-1.

14 (5) For purposes of IC 14-12-2, the meaning set forth in
15 IC 14-12-2-2.

16 (6) For purposes of IC 14-12-3, the meaning set forth in
17 IC 14-12-3-2.

18 (7) For purposes of IC 14-13-1, the meaning set forth in
19 IC 14-13-1-2.

20 (8) For purposes of IC 14-13-2, the meaning set forth in
21 IC 14-13-2-3.

22 (9) For purposes of IC 14-19-4, the meaning set forth in
23 IC 14-19-4-1.

24 (10) For purposes of IC 14-19-5, the meaning set forth in
25 IC 14-19-5-1.

26 ~~(11) For purposes of IC 14-20-1, the meaning set forth in~~
27 ~~IC 14-20-1-3.~~

28 ~~(12)~~ **(11)** For purposes of IC 14-20-11, the meaning set forth in
29 IC 14-20-11-2.

30 ~~(13)~~ **(12)** For purposes of IC 14-22-3, the meaning set forth in
31 IC 14-22-3-1.

32 ~~(14)~~ **(13)** For purposes of IC 14-22-4, the meaning set forth in
33 IC 14-22-4-1.

34 ~~(15)~~ **(14)** For purposes of IC 14-22-5, the meaning set forth in
35 IC 14-22-5-1.

36 ~~(16)~~ **(15)** For purposes of IC 14-22-8, the meaning set forth in
37 IC 14-22-8-1.

38 ~~(17)~~ **(16)** For purposes of IC 14-22-34, the meaning set forth in

- 1 IC 14-22-34-2.
- 2 ~~(18)~~ **(17)** For purposes of IC 14-23-3, the meaning set forth in
- 3 IC 14-23-3-1.
- 4 ~~(19)~~ **(18)** For purposes of IC 14-23-8, the meaning set forth in
- 5 IC 14-23-8-1.
- 6 ~~(20)~~ **(19)** For purposes of IC 14-25-2-4, the meaning set forth in
- 7 IC 14-25-2-4.
- 8 ~~(21)~~ **(20)** For purposes of IC 14-25-10, the meaning set forth in
- 9 IC 14-25-10-1.
- 10 ~~(22)~~ **(21)** For purposes of IC 14-25-11-19, the meaning set forth
- 11 in IC 14-25-11-19.
- 12 ~~(23)~~ **(22)** For purposes of IC 14-28-5, the meaning set forth in
- 13 IC 14-28-5-2.
- 14 ~~(24)~~ **(23)** For purposes of IC 14-31-2, the meaning set forth in
- 15 IC 14-31-2-5.
- 16 ~~(25)~~ **(24)** For purposes of IC 14-25-12, the meaning set forth in
- 17 IC 14-25-12-1.
- 18 ~~(26)~~ **(25)** For purposes of IC 14-33-14, the meaning set forth in
- 19 IC 14-33-14-3.
- 20 ~~(27)~~ **(26)** For purposes of IC 14-33-21, the meaning set forth in
- 21 IC 14-33-21-1.
- 22 ~~(28)~~ **(27)** For purposes of IC 14-34-6-15, the meaning set forth in
- 23 IC 14-34-6-15.
- 24 ~~(29)~~ **(28)** For purposes of IC 14-34-14, the meaning set forth in
- 25 IC 14-34-14-1.
- 26 ~~(30)~~ **(29)** For purposes of IC 14-37-10, the meaning set forth in
- 27 IC 14-37-10-1.

28 SECTION 5. IC 14-8-2-124 IS AMENDED TO READ AS

29 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 124. "Historic

30 property", for purposes of IC ~~14-20-1~~ and IC 14-21-1, means:

- 31 (1) **a** historic site;
- 32 (2) **a** historic structure; or
- 33 (3) other personal or real property located on or in a ~~historic~~
- 34 **historic** site or historic structure.

35 SECTION 6. IC 14-8-2-125 IS AMENDED TO READ AS

36 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 125. "Historic site", for

37 purposes of IC ~~14-20-1~~ and IC 14-21-1, means a site that is important

38 to the general, archeological, agricultural, economic, social, political,

1 architectural, industrial, or cultural history of Indiana. The term
 2 includes adjacent property that is necessary for the preservation or
 3 restoration of the site.

4 SECTION 7. IC 14-8-2-126 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 126. "Historic
 6 structure", for purposes of IC ~~14-20-1~~ and IC 14-21-1, means a
 7 structure that is important to the general, archeological, agricultural,
 8 economic, social, political, architectural, industrial, or cultural history
 9 of Indiana. The term includes adjacent property that is necessary for the
 10 preservation or restoration of the structure.

11 SECTION 8. IC 14-8-2-202 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 202. (a) "Person"
 13 means, except as provided in subsections (b) through (j), an individual,
 14 a partnership, an association, a fiduciary, an executor or administrator,
 15 a limited liability company, or a corporation.

16 (b) "Person", for purposes of IC 14-12-2, has the meaning set forth
 17 in IC 14-12-2-3.

18 (c) "Person", for purposes of IC 14-16, IC 14-24, IC 14-26-2,
 19 IC 14-28-1, IC 14-28-3, IC 14-29-6, and IC 14-38-2, means an
 20 individual, a partnership, an association, a fiduciary, an executor or
 21 administrator, a limited liability company, a corporation, other legal
 22 entity, the state, or an agency, a political subdivision, or another
 23 instrumentality of the state.

24 (d) "Person", for purposes of IC 14-12-1, IC 14-12-2, IC ~~14-20-1~~,
 25 IC 14-21, IC 14-25 through IC 14-29, except as otherwise provided in
 26 this section, IC 14-33, IC 14-34, and IC 14-37, means an individual, a
 27 partnership, an association, a fiduciary, an executor or administrator,
 28 a limited liability company, a corporation, or a governmental entity.

29 (e) "Person", for purposes of IC 14-22-31.5, has the meaning set
 30 forth in IC 14-22-31.5-2.

31 (f) "Person", for purposes of IC 14-25-3, has the meaning set forth
 32 in IC 14-25-3-1.

33 (g) "Person", for the purposes of IC 14-25-7, has the meaning set
 34 forth in IC 14-25-7-5.

35 (h) "Person", for purposes of IC 14-34, means an individual, a
 36 partnership, a limited liability company, an association, a society, a
 37 joint stock company, a firm, a company, a corporation, or other
 38 business organization.

1 (i) "Person", for purposes of IC 14-38-1, has the meaning set forth
2 in IC 14-38-1-2.

3 (j) "Person", for purposes of IC 14-24-12, has the meaning set forth
4 in IC 14-24-12-4.

5 SECTION 9. IC 14-8-2-208, AS AMENDED BY P.L.160-1999,
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2001]: Sec. 208. "Political subdivision" has the following
8 meaning:

9 (1) For purposes of IC 14-12-1, the meaning set forth in
10 IC 14-12-1-2.

11 (2) ~~For purposes of IC 14-20-1, the meaning set forth in~~
12 ~~IC 14-20-1-4.~~

13 (3) For purposes of IC 14-32-8, the meaning set forth in
14 IC 14-32-8-2.

15 SECTION 10. IC 14-8-2-258 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 258. "Site", for
17 purposes of IC ~~14-20-1~~ and IC 14-21, includes the following:

18 (1) An aboriginal mound, a fort, an earthwork, a village location,
19 a burial ground, a ruin, a mine, a cave, a battleground, a
20 shipwreck, or other similar location on land or under water.

21 (2) A location that contains or did contain a structure.

22 SECTION 11. IC 14-8-2-268 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 268. "Structure", for
24 purposes of IC ~~14-20-1~~ and IC 14-21, means a manmade construction.

25 SECTION 12. IC 14-9-4-1 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. The following
27 divisions are established within the department:

28 (1) Accounting.

29 (2) Administrative support services.

30 (3) Budget.

31 (4) Engineering.

32 (5) Entomology and plant pathology.

33 (6) Fish and wildlife.

34 (7) Forestry.

35 (8) Historic preservation and archeology.

36 (9) Human resources.

37 (10) Internal audit.

38 (11) Land acquisition.

- 1 (12) Law enforcement.
- 2 (13) Management information systems.
- 3 (14) Nature preserves.
- 4 (15) Oil and gas.
- 5 (16) Outdoor recreation.
- 6 (17) Public information and education.
- 7 (18) Reclamation.
- 8 (19) Reservoir management.
- 9 (20) Safety and training.
- 10 (21) Soil conservation.
- 11 ~~(22) State museums and historic sites.~~
- 12 ~~(23)~~ (22) State parks.
- 13 ~~(24)~~ (23) Water.

14 SECTION 13. IC 14-10-2-5 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The department
 16 may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties
 17 of the department under the following:

- 18 (1) IC 14-9.
- 19 (2) This article.
- 20 (3) IC 14-11.
- 21 (4) IC 14-12-2.
- 22 (5) IC 14-14.
- 23 (6) IC 14-17-3.
- 24 (7) IC 14-18, except IC 14-18-6 and IC 14-18-8.
- 25 (8) IC 14-19-1, IC 14-19-4, and IC 14-19-5.
- 26 (9) IC ~~14-20-1~~.
- 27 ~~(10)~~ IC 14-21.
- 28 ~~(11)~~ (10) IC 14-22-3, IC 14-22-4, and IC 14-22-5.
- 29 ~~(12)~~ (11) IC 14-23-1.
- 30 ~~(13)~~ (12) IC 14-25, except IC 14-25-8-3, IC 14-25-11, and
- 31 IC 14-25-13.
- 32 ~~(14)~~ (13) IC 14-26.
- 33 ~~(15)~~ (14) IC 14-27.
- 34 ~~(16)~~ (15) IC 14-28.
- 35 ~~(17)~~ (16) IC 14-29.
- 36 ~~(18)~~ (17) IC 14-35-1, IC 14-35-2, and IC 14-35-3.
- 37 (b) A rule adopted under subsection (a) expires not later than one
- 38 (1) year after the rule is accepted for filing by the secretary of state.

SECTION 14. IC 14-10-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. This chapter applies to the property managers of each of the following divisions of the department:

- (1) State parks.
- (2) Forestry.
- (3) Fish and wildlife.
- (4) Reservoir management.
- ~~(5) State museums and historic sites.~~

SECTION 15. IC 14-12-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) The Indiana heritage trust project committee is established.

(b) The project committee consists of the following sixteen (16) members:

- (1) The director of the division of fish and wildlife.
- (2) The director of the division of forestry.
- (3) The director of the division of nature preserves.
- (4) The director of the division of state parks.
- (5) The director of the division of outdoor recreation.
- (6) The ~~director~~ **chief executive officer** of the ~~division of~~ state museums ~~and historic sites~~ **commission**.
- (7) Ten (10) individuals appointed by the governor:
 - (A) who are residents of Indiana;
 - (B) who have a demonstrated interest or experience in:
 - (i) conservation of natural resources; or
 - (ii) management of public property;
 - (C) each of whom resides in a different congressional district;
 - and
 - (D) who represent the following:
 - (i) The environmentalist community.
 - (ii) The academic community.
 - (iii) Organized hunting and fishing groups.
 - (iv) The forest products community.
 - (v) The parks and recreation community.

SECTION 16. IC 14-21-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. The division may do the following:

- (1) Recommend the purchase, lease, or gift of historic property of

1 archeological importance and make recommendations to the
 2 director, council, and commission regarding policies affecting the
 3 operation and administration of these sites and structures by the
 4 section of historic sites of the ~~division of state museums and~~
 5 ~~historic sites~~ **commission**.

6 (2) Prepare and review planning and research studies relating to
 7 archeology.

8 (3) Conduct a program of education in archeology, either within
 9 the division or in conjunction with an institution of higher
 10 education.

11 (4) Inspect and supervise an archeological field investigation
 12 authorized by this chapter.

13 SECTION 17. IC 14-21-1-14 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) This section
 15 does not apply to real property that is owned by a state educational
 16 institution (as defined in IC 20-12-0.5-1).

17 (b) The Indiana department of administration shall notify the
 18 division of a proposed transfer of real property owned by the state at
 19 the earliest planning stage and no later than ninety (90) days before the
 20 date of the proposed transfer.

21 (c) The division shall inspect the property and notify the Indiana
 22 department of administration of the location of each historic site or
 23 historic structure on the property.

24 (d) Real property owned by the state may not be sold or transferred
 25 until the division has stated in writing that the property does not, to the
 26 best of the division's knowledge, contain a historic site or historic
 27 structure.

28 (e) If the Indiana department of administration receives notice of a
 29 historic site or historic structure on the property, the Indiana
 30 department of administration shall reserve control of the appropriate
 31 historic property by means of a covenant or an easement contained in
 32 the transferring instrument.

33 (f) The ~~division of state museums and historic sites~~ **commission**
 34 shall administer property reserved under subsection (e).

35 SECTION 18. IC 35-43-1-5 IS ADDED TO THE INDIANA CODE
 36 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 37 1, 2001]: **Sec. 5. A person who knowingly or intentionally alters,**
 38 **without a permit, historic property located on property owned or**

1 leased by the state commits a Class B misdemeanor.

2 SECTION 19. [EFFECTIVE JULY 1, 2001] (a) The definitions in
3 IC 4-36, as added by this act, apply throughout this SECTION.

4 (b) All real property, personal property, and artifacts of the
5 division of state museums and historic sites is transferred from the
6 division of state museums and historic sites to the commission.

7 (c) Rules that concern the division of state museums and historic
8 sites that were adopted by the natural resources commission shall
9 be treated as rules applying to the commission.

10 (d) All powers, duties, assets, and liabilities of the department
11 of natural resources regarding the division of state museums and
12 historic sites and artifacts of the division of state museums and
13 historic sites that are attributable to the division of state museums
14 and historic sites are transferred to the commission.

15 (e) A reference to the department of natural resources in a
16 statute or rule concerning the division of state museums and
17 historic sites shall be treated as a reference to the commission.

18 (f) Notwithstanding IC 4-36-2-2(b), as added by this act, the
19 initial appointments to the commission under IC 4-36-2-2 shall be
20 staggered as follows:

21 (1) Two (2) persons appointed by the governor and one (1)
22 person appointed by the foundation shall be appointed to
23 serve a one (1) year term ending June 30, 2002.

24 (2) Two (2) persons appointed by the governor and one (1)
25 person appointed by the foundation shall be appointed to
26 serve a two (2) year term ending June 30, 2003.

27 SECTION 20. THE FOLLOWING ARE REPEALED [EFFECTIVE
28 JULY 1, 2001]: IC 14-8-2-266; IC 14-8-2-283; IC 14-20-1.

(Reference is to HB 2146 as introduced.)

and when so amended that said bill do pass.

Representative Moses